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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,908	04/11/2001	Dinkar Goswami	38863-174921	8209

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VENABLE, BAETJER, HOWARD & CIVILETTI, LLP
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WASHINGTON, DC 20043

EXAMINER

PHAM, THOMAS K

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,908

Applicant(s)

GOSWAMI, DINKAR

Examiner

Thomas K Pham

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

First Action on the Merits

1. Claims 1-10 of U.S. Application 09/829,908 filed on 04/11/2001 are presented for examination.

Quotations of U.S. Code Title 35

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claim Rejections - 35 USC § 102

6. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,601,087 (“Zhu”).

Regarding claim 1

Zhu teaches an online file editing method, comprising:

creating a session that allows at least two users with simultaneous to access a file, where each user has access to a replica of the file (col. 3 lines 55-67, “FIG. 2 depicts two clients ... documents to be shared”);

receiving from a user an edit instruction indicating a file edit (col. 7 lines 37-40, “Owner 210A receives ... on editor user input”);

editing a replica of the file according to the edit instruction (col. 7 lines 41-45, “In response, the file ... shared screen update 510A”; and

automatically cascading the file edit to each replica of the file (col. 7 lines 49-53, “The server distributes ... its viewer application 308”).

Regarding claim 2

Zhu teaches providing at least two users with simultaneous access to a file such that each user has access to a replica of the file (col. 3 lines 55-67, “FIG. 2 depicts two clients ... documents to be shared”); providing one of the at least two users with a capability to edit a local replica of the file (col. 1 line 65 to col. 2 line 13, “referred to as ... based on the user input”); and automatically cascading the edit to all of the replicas of the file (col. 2 lines 13-18, “In response, the application ... by the viewer application”).

Regarding claim 3

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Zhu teaches transferring the capability to edit a local replica of the file to an other of the at least two users (col. 7 lines 32-33, “In application sharing mode ... editing application directly”)

Regarding claim 4

Zhu teaches an online file editing method, comprising:

uploading the file from a first client to a server (col. 4 lines 11-21, “document sharing application ... with the document”);

providing to the first client and a second client simultaneous access to a replica of the file, a first replica and a second replica, respectively (col. 3 lines 55-67, “FIG. 2 depicts two clients ... documents to be shared”);

receiving from one of the first client and the second client an edit command to edit one of the first replica and the second replica (col. 7 lines 32-37, “In application sharing ... sent to owner 210A”);

editing the one of the first replica and the second replica of the file according to the edit command (col. 7 lines 37-40, “Owner 210A receives ... on editor user input”); and

automatically editing an other of the first replica and the second replica of the file according to the editing of the one of the first replica and the second replica of the file such that the editing is performed at a same location of the other of the first replica and the second replica of the file as it was performed in the one of the first replica and the second replica of the file (col. 7 lines 49-53, “The server distributes ... its viewer application 308”).

Regarding claim 5

Zhu teaches providing to one of the first and second client authority to edit the file (col. 6 lines 57-61, “the users in the data ... the owner’s user input 806”).

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Regarding claim 6

Zhu teaches providing to one of the first and second clients authority to save the file (col. 6 lines 57-61, “the users in the data ... the owner’s user input 806”).

Regarding claim 7

Zhu teaches a system to edit a file over a network, comprising:

a first client, which includes a first file and an editor that allows a user of the first client to access a replica of a second file (col. 4 lines 22-25, “When a document has been ... using communication module 310”);

a second client that includes the second file and an editor that allows the second client to access a replica of the first file (col. 4 lines 22-25, “When a document has been ... using communication module 310”); and

a server that provides the first client and the second client with simultaneous access to the replicas of the first and second files (col. 3 lines 55-67, “FIG. 2 depicts two clients ... documents to be shared”).

Regarding claim 8

Zhu teaches the editor allows one of the initiating client and the remote client to edit the file at a given time (col. 1 line 65 to col. 2 line 13, “referred to as ... based on the user input”).

Regarding claim 9

Zhu teaches the editor allows both the initiating client and the remote client to edit the file (col. 6 lines 57-61, “the users in the data ... the owner’s user input 806”).

Regarding claim 10

Zhu teaches the editor automatically cascades an edit made to the first replica of the file to the

second replica of the file (col. 7 lines 49-53, "The server distributes ... its viewer application 308").

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (703) 305-7587 or the new number (571) 272-3689 beginning Oct. 13th, 2004, Monday - Friday from 8:00 AM - 5:00 PM EST or contact Supervisor *Mr. Anthony Knight* at (703) 308-3179 (or (571) 272-3687 starting Oct. 13th, 2004).

Any response to this office action should be mailed to: **Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450**. Responses may also be faxed to the **official fax number (703) 872- 9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas Pham
Patent Examiner

TP

September 28th, 2004


Anthony Knight
Supervisory Patent Examiner
Group 3600